

REMARKS

The Examiner rejected claim 18 under 35 U.S.C. 102(b) as being anticipated by Sachs (US Des 341,127), stating that Sachs shows a bolt having a head at one end, a threaded shank at an opposite end with a non-round portion between the head and shank within which a cross-slot is located. The Examiner notes that this applicant's claim 18 language does not preclude the hole from being in the non-round section as depicted in Sachs. This applicant therefore amends claim 18 to differentiate it from Sachs by having the hole located only at the junction of the round and non-round sections, and thereby prohibiting its location from being within the non-round cross section as in Sachs. The amended language identifies the best location of the cross-hole for using the applicant's invention in that it allows use of the full length of the non-round portion of the bolt to engage the non-round hole in the rail member but prevents, when retainer is in place, the non-round section of the bolt from disengaging from the non-round hole in the rail member.

The Examiner rejected claims 20, 23, and 27 under 35 U.S.C. 103(a) over MacLean (US 2,395,377) and in view of Emerson (US 2,370,944). The Examiner holds that MacLean discloses a threaded nut as a retainer and that Emerson discloses a bolt held in securement with a rail member by a retainer formed as a cotter key received through a cross-hole in the bolt. This applicant wishes to point out that neither MacLean nor Emerson works in the fashion as his present invention.

The purpose of MacLean is to secure the bolt with a nut near the head of the bolt for the bolts “to be mounted firmly at their head end in slots” and not to prevent rotation when the outer nuts are tightened or loosened. Applicant’s invention does not require the bolt to be mounted firmly at the head end. It allows freedom of movement of the bolt in the rail member to aid in installation. Such motion as allowed in the applicant’s invention would defeat the purpose of MacLean’s invention.

The purpose of Emerson is to prevent screws from working out of their threaded engagement albeit to prevent rotation but not while outer nuts are being tightened or loosened. Emerson accomplishes this by placing a cross-hole in the head of the screw on the opposite side of the rail member from that disclosed in applicant’s invention. The hole in Emerson is for receiving a cotter key to retain the rail member from sliding off the screw head after threaded engagement has been made but not for facilitating the threading process. Applicant notes that while Emerson discloses use of a cotter key, it is for an entirely different purpose, to keep a screw after threaded engagement has been made from anti-rotating and backing out of engagement, while applicant’s invention use a retainer, possibly a cotter key, to keep a bolt from rotating while threaded engagement between bolt and nut is being made or unmade.

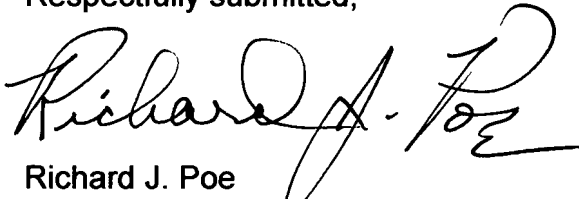
For these reasons applicant does not believe that the cross-hole in the head of the screw as depicted in Emerson for the purpose of retaining a rail member from slipping off the head of the screw when considered in combination with MacLean

where the bolt must be held "mounted firmly", something which cannot be accomplished by a cross-hole and retainer as disclosed in applicant's invention, would teach one of ordinary skill in the art how to arrive at the applicant's invention. Therefore this applicant respectfully asks the Examiner to reconsider his rejection of claims 20, 23, and 27.

In addition, in view of the applicant's positions stated above he hereby requests the Examiner to reconsider withdrawn claims 26 and 28.

A copy of applicant's claims revision is included.

Respectfully submitted,



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